

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DAHKEEM MILLER; JOSE GUILTY;
TRAVIS BUTLER; ARIAN PERALTA;
GARY GARCIA, JR.; BOBBY DEE
CRUZ, and ISAAH MUHAMMAD,
on their own behalf and on behalf
of others similarly situated,

Plaintiffs,

-v-

CITY OF NEW YORK; CYNTHIA BRANN;
TIMOTHY FARRELL; HAZEL JENNINGS;
and BRENDA COOKE,

Defendants.

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Case No. 21-cv-2616 (PKC) (KNF)

[PROPOSED] ORDER

WHEREAS, the parties have reported that they have engaged in extensive resolution discussions and have tentatively agreed to a comprehensive class-wide settlement of the Plaintiffs' claims in this action to be submitted for Court approval; and

WHEREAS, in connection with finalizing the forthcoming settlement, the parties wish to exchange, on a confidential basis, certain information related to the "lockdown orders" of potential putative class members, which are orders issued by the state court which required the City to confine such persons under special restrictive conditions;

WHEREAS, the parties agree that this information is needed in order to facilitate finalization of the parties' draft agreement;

WHEREAS, in some cases these lockdown orders may be sealed under N.Y. Crim. P. Law § 160.50; and

WHEREAS, the Court finds that the interests of justice support the confidential production of these records;

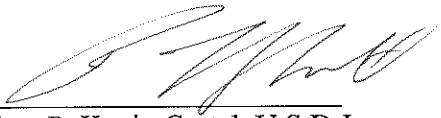
NOW, THEREFORE, IT IS HEREBY ORDERED that the lockdown orders described herein are unsealed for the limited purposes of facilitating settlement of this matter; and

IT IS FURTHER ORDERED that the City, including the Department of Correction, may disclose to Plaintiffs' counsel, on a confidential basis, any lockdown orders issued as to potential putative class members and may identify the persons subject to such orders to Plaintiffs' counsel; and

IT IS FURTHER ORDERED that all of the information referred to above shall be deemed "confidential" and "attorneys eyes only" and treated by the parties as such pursuant to this Order and the Protective Order in this action dated July 16, 2021 (ECF No. 34), unless and until a further Order of the Court.

Dated: April 6, 2023
New York, New York

LETTER MOTION (ECF 78) is terminated
SO ORDERED:


Hon. P. Kevin Castel, U.S.D.J